

IN THE DISTRICT COURT OF RIO ARRIBA COUNTY
STATE OF NEW MEXICO

STATE OF NEW MEXICO on the
relation of S. E. REYNOLDS,
State Engineer,

Plaintiff,

vs.

ROMAN ARAGON, et al.,

Defendants.

)
No. 8294

)
Sub-File No. 254
Acequia de Chamita

ORDER

THIS MATTER having come before the Court and after
having heard the testimony, considered the evidence, and
being fully advised in the premises, now finds:

1. Name of defendant: Sostenes Macaranda
2. Defendant has been legally served with process,
has not filed an answer, certificates of non-
appearance and default have been filed, and the
defendant is adjudged to be in default.
3. The Court has jurisdiction of the parties
and the subject matter herein.
4. State Engineer's hydrographic survey and report
relating to the defendant water rights
have been introduced into the record and the
same hereby are incorporated and made a part
of this Order; that said hydrographic survey
and report contain a true and correct summary
of the contents of the instruments referred to
therein.

Sub-File No. 254

5. The defendant Sostenes M ascarenas
has a right to withdraw public, surface and/or
underground waters from the Rio Chama Stream
System for irrigation purposes as follows:

State Engineer's File No. 1924

Priority:

Source of water: Surface waters of the Rio Chama

Point of diversion: Through and by means of the Acequia de

Chamita (also known as Guique Ditch) which diverts out of the
north bank of the Rio Chama, located in the northwest part of
the Bartolome Sanchez Grant, New Mexico Coordinate System,
Central Zone: X = 536,680 and Y = 1,650,010, Rio Arriba County,
New Mexico.

Location & Amount of Acreage: 5.84 acres irrigated in
part of P.C. 262, P. 1, Exception 1, Sections 8 & 9,
T. 21 N., R. 8 E., within the San Juan Pueblo Grant,
Rio Arriba County, New Mexico.

Duty of water: Not to exceed three acre feet
per acre per annum delivered at the
farm head gate.

Sub-File No. 254

The defendant Sostenes Mascarenas
has no other surface/ground water irrigation rights
in the aforesaid sections.

That the defendant Sostenes Mascarenas
his agents, employees, privies, co-tenants, tenants,
assigns, attorneys, and any and all other persons having
a constructive knowledge of the restraining Order should
be enjoined from any use of the surface/ground water
in the aforesaid sections

for irrigation, except in strict accordance with the
water rights set out hereinabove.

IT IS, THEREFORE, ORDERED that the defendant, Sostenes Mascarenas

be and hereby is adjudicated to have a good and valid water right as
set forth above.

IT IS FURTHER ORDERED that the defendant, Sostenes Mascarenas

his agents, employees, privies, co-tenants, tenants, assigns,
attorneys, and any and all other persons having constructive knowledge
of the restraining order, be and they hereby are, enjoined from any
use of the surface/ground water in the aforesaid sections

except in strict accordance with the water rights set out hereinabove.

DATED, this 15 day of April, 1963.

J. M. SCARBOROUGH
DISTRICT JUDGE

A TRUE COPY OF

ORIGINAL Order on file

ENTERED April 15 1963

SUSIE M. MONTOYA

-3-

Sub-File No. 254

CLERK

Ruth H. Alday - Deputy